



California Fair Political Practices Commission

December 11, 1987

Rena M. Murphy
Mayor Pro Tem
68-625 Perez Road
Cathedral City, CA 92234

Re: 87-312

Dear Ms. Murphy:

Your letter requesting advice under the Political Reform Act was received on December 11, 1987 by the Fair Political Practices Commission. If you have any questions about your advice request, you may contact Lilly Spitz, an attorney in the Legal Division, directly at (916) 322-5901.

We try to answer all advice requests promptly. Therefore, unless your request poses particularly complex legal questions, or more information is needed, you should expect a response within 21 working days if your request seeks formal written advice. If more information is needed, the person assigned to prepare a response to your request will contact you shortly to advise you as to information needed. If your request is for informal assistance, we will answer it as quickly as we can. (See Commission Regulation 18329 (2 Cal. Adm. Code Sec. 18329).)

You also should be aware that your letter and our response are public records which may be disclosed to the public upon receipt of a proper request for disclosure.

Very truly yours,

Diane M. Griffiths
Diane M. Griffiths
General Counsel
by KED

DMG:plh

I-88-312

LAW OFFICES OF
BAGATELOS & FADEM

BARRY FADEM
PETER A. BAGATELOS
WES VAN WINKLE

THE INTERNATIONAL BUILDING
601 CALIFORNIA STREET
SUITE 1801
SAN FRANCISCO, CALIFORNIA 94108

TELEPHONE
(415) 982-7100
FAX
(415) 982-1085

Aug 5 4 21 PM '88

August 1, 1988

Mr. Bruce Robeck
Fair Political Practices Commission
Technical Assistance Division
428 J Street, Ste. 800
Sacramento, CA 95814

Dear Bruce:

This will confirm our telephone conversation on July 29, 1988. I explained to you that I have a client who is a city officeholder. The officeholder controls one committee which is organized to support him as an officeholder in the local jurisdiction. In addition, the officeholder controls another committee which is generally organized as a statewide general purpose committee, which supports various candidates for office. I recently received a copy of Carla Wardlow's letter to Bernard Barrett, dated May 27, 1988, which partly applies to my client's situation. I asked you for clarification as to whether the local jurisdiction committee would be required to file its reports in the same places as the state general purpose committee, which is not clearly explained in Carla's letter.

After checking with Jeanne Pritchard and rereading the Barrett opinion, you advised me that the local jurisdiction committee should file an original and one copy with the local filing official, and not with the filing officials for the state general purpose committee. You confirmed that the general purpose committee should file an original and one copy with the Secretary of State's office, two copies with San Francisco, two copies with Los Angeles, and two copies with the county of domicile.

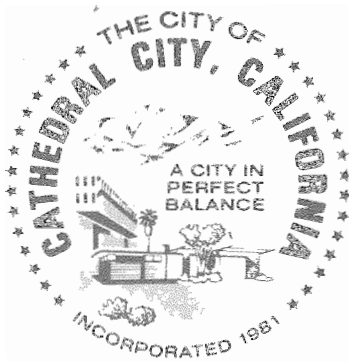
Thank you for your guidance.

Very truly yours,

Peter A. Bagatelos
Peter A. Bagatelos

PAB/yjw

okay, Bruce Robeck
8-10-88



68-625 PEREZ ROAD • CATHEDRAL CITY • CALIFORNIA 92234
GENERAL ADMINISTRATION 619/324-8388
COMMUNITY DEVELOPMENT 619/321-1531

DEC 11 3 55 PM '87

December 7, 1987

Ms. Kathy Donovan
Legal Division
Fair Political Practices Commission
428 "J" Street, Suite 800
Sacramento, California 95814

RE: Request for opinion on contributions of more than \$250 to Elected Council Members who also serve on LAFCO.

Dear Ms. Donovan:

This will confirm, and expand upon, my telephone conversation of December 2, 1987 with you.

The City Attorney of Cathedral City has advised me that, under the exemption provision of Government Code, Section 84308(a)(3), that specifies that "it does not include the courts or any agency in the Judicial Branch of Government, Local Government Agencies whose members are directly elected by the voters,...". I am a duly Elected Council Member of the City of Cathedral City, a General Law City. My primary concern at this point is regarding my allied position as a Local Governmental Representative on the Riverside County Local Agency Formation Commission (LAFCO).

Please confirm whether the City Attorney's information is correct regarding my positions, as well as my positions as a member of the Redevelopment Agency Board and the Community Services District Board, solely by virtue of being a member of the Council.

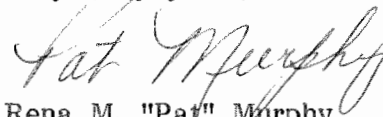
The Campaign Contribution Limitation of Government Code Section 84308(a)(6) does not apply to me, since I am serving as a member of the Elected City Council, either sitting as itself, or as the Ex-Officio Governing Body of another agency, such as the Redevelopment or Community Services Agencies. The City Attorney relies upon Regulation 18438, as I understand.

I also serve as the representative of local units of government on Riverside County LAFCO. I understand I cannot accept a contribution of \$250.00 or more from any person or entity which now has a matter pending before that body, and If I accept a contribution of \$250.00 or more from anyone, I could not then act as a member of the LAFCO Board on any matter affecting any such contributor for at least twelve months thereafter. I would also be required to make a disclosure of that contribution on the public record of the meeting as well.

However, as I understand it, I can properly accept a contribution to my campaign for the City Council, in excess of \$250.00, so long as I disqualify my such LAFCO matters, refrain from attempting to influence any such decision, and disclose the contribution on the record of the proceeding.

Would you kindly confirm whether my understanding is correct?

Very truly yours,

A handwritten signature in cursive script, appearing to read "Pat Murphy".

Rena M. "Pat" Murphy
Mayor Pro Tem

RMPM:dbw